

1 UNITED STATES OF AMERICA,)
)
 2 Plaintiff,)
)
 3 V.)
)
 4 JOSHUA HEDLUND,)
)
 5 Defendant.)
)
 6 _____)

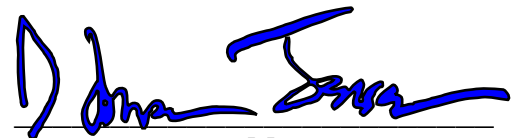
No. CR-06-00346-DLJ

ORDER

7 On February 4, 2008, Defendant Joshua Hedlund (Hedlund)
 8 pled guilty to one count of Use of Premises for the Purpose of
 9 Manufacturing Marijuana, in violation of 21 U.S.C. § 856(a)(1),
 10 and one count of Money Laundering, in violation of 18 U.S.C. §
 11 1956(a)(1)(A)(1). Subsequently, in June, the United States
 12 Supreme Court decided the case of United States v. Santos, __
 13 U.S. __, 128 S.Ct. 2020 (2008), holding that the word
 14 "proceeds" in § 1956(a)(1)(A)(1) means "profits". It is the
 15 tentative ruling of the Court that, pursuant to the Santos
 16 decision, the factual basis for Hedlund's plea is insufficient
 17 to support a finding of guilt for the crime of Money
 18 Laundering. The Court's reasoning on this matter will be
 19 further explained in a future order. As a result the Court
 20 orders the probation department to amend the Pre-sentence
 21 Report and remove the references to that offense as an offense
 22 of conviction in the Guideline and Sentencing calculations.

IT IS SO ORDERED

Dated: August 19, 2008



D. Lowell Jensen
 United States District Judge